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November 16, 2005

William M. Welch, III
Assistant United States Attorney
United States Attorney
District of Massachusetts
Federal Building & Courthouse
1550 Main Street
Springfield, Massachusetts 01103

Re: United States v. Albert Innarelli, et al.
Crim. No. 04-30046-MAP

Dear Attorney Welch:

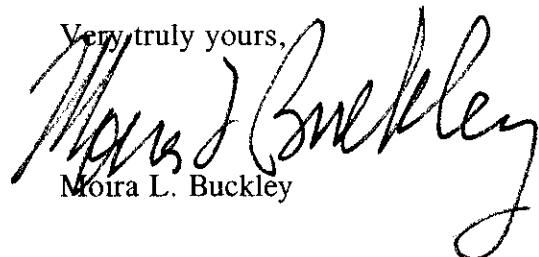
This letter constitutes a discovery request pursuant to LR 116.3. Specifically, the defendant requests the following pursuant to Fed. R. Crim. P. 16(a)(1)(E)-(G) regarding Counts 31, 44, 48, 50, 59, 64, and Overt Acts one, two, four, six, 14, and 17 – 34 of the Superseding Indictment:

- (1) That the government permit the defendant to inspect and to copy or photograph books, papers, documents, data, photographs, tangible objects, buildings or places, or copies or portions of any of these items, that are within the government's possession, custody, or control, are material to preparing the defense, that the government intends to use the item in its case-in-chief at trial, or the item was obtained from or belongs to the defendant.
- (2) That the government permit the defendant to inspect and to copy or photograph the results or reports of any physical or mental examination and of any scientific test or experiment if they are within the government's possession, custody, or control; that the attorney for the government knows—or through due diligence could know—that the item exists; and

that are material to preparing the defense or the government intends to use the item in its case-in-chief at trial.

(3) That the government provide the defendant a written summary of any testimony that the government intends to use under Rules 702, 703, or 705 of the Federal Rules of Evidence during its case-in-chief at trial. If the government requests discovery under subdivision (b)(1)(C)(ii) of Rule 16, and the defendant complies, the government must, at the defendant's request, give to the defendant a written summary of testimony that the government intends to use under Rules 702, 703, or 705 of the Federal Rules of Evidence as evidence at trial on the issue of the defendant's mental condition. The summary must describe the witness's opinions, the bases and reasons for those opinions, and the witness's qualifications.

Please contact me if you have any questions regarding this request. Thank you.

Very truly yours,

Moira L. Buckley

Cc: Clerk
All Counsel of Record